



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, November 12, 2013 at 9:00 A.M.

The Clay County Board of Supervisors met November 12, 2013 as per public notice given in the Clay County News on November 6, 2013 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Schmidt, Johnson, Shaw and Fintel; absent: Anderson. Minutes of the meeting held October 29, 2013 were mailed to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Ivan Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Shaw and seconded by Schmidt to approve the minutes of the meeting held October 29, 2013 as mailed. On roll call, yea: Samuelson, Schmidt, Johnson, Shaw, Nuss and Fintel; absent: Anderson. Motion carried.

There was no public input.

Anderson entered the meeting at 9:05 A.M.

Thomas Roemmich II, Highway Superintendent reported that they will be working on culverts as long as the weather holds. The snow blower arrived on Friday and the loader is here. Tom is working on the specs for the motor patrol buildings. The Fairfield building will be 40' x 60' and the Sutton building will be 60' x 80' and will house two graders. Tom is working on the numbers for costs of running an additional motorgrader. The asphalt project is nearing completion. A letter with pictures and the results of the survey were sent to the Hanger's to help address their concerns. Tom also reported that he was working with the County Attorney to address the requirements for the county's ADA policy.

Motion by Nuss and seconded by Johnson to open the public hearing for the Zoning Regulations Amendment in the Ag District at 9:30 A.M. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Barb Barnett, Zoning Administrator, and Linda Whiting, County Assessor were also present. The Resolution #2013-10-14 (Resolution of Recommendation of Amendment to the Clay County Zoning Regulations) from the Joint Planning Commission had been given to the board prior to the meeting. The amendment reduces lot size to three acres in the Ag district only. There were no oral or written comments, concerns or opposition presented at this time.

Motion by Samuelson and seconded by Schmidt to close the public hearing at 9:38 A.M. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.



Clay County Board Minutes



Motion by Johnson and seconded by Shaw to adopt Resolution #13-12: Resolution of Amendment to Clay County Zoning Regulations as recommended by the Joint Planning Commission. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Schmidt and Fintel; abstain: Anderson. Motion carried. (Resolution on file in County Clerk's office.)

Barb also presented a report for the 2nd and 3rd quarter zoning permits.

The list the extension office gave for their surplus items had a couple of errors. The HP640 fax/phone is actually a Cannon and the fax machine is actually an answering machine. Motion by Schmidt and seconded by Johnson to declare the Extension offices Cannon fax/phone and the answering machine as surplus. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

The alternate for voting purposes for the NACO convention was discussed. The chairman is planning to attend the convention but if for some reason he is unable an alternate must be named in order for Clay County to be able to cast any votes.

Motion by Nuss and seconded by Shaw to appoint Eric Samuelson as the alternate, for voting purposes at the NACO convention in December 2013. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Donnie Batterman, Don's Lawn Service visited with the board about mowing at the courthouse, Sheriff and Road department properties as well as care of cemeteries. Donnie asked the board about mowing the Spring Ranch cemetery more often. The board told him to use his judgement. The rates will not change.

Motion by Schmidt and seconded by Johnson to continue with Don's Lawn Service for 2014; rates are to remain the same. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

The fee reports were circulated for review. Motion by Nuss and seconded by Samuelson to accept the fee reports for the following county officials for the month of October 2013: County Clerk, \$5,009.35, County Court \$9,198.85, Clerk of District Court, \$32,515.48, Sheriff's fees for September 2013 \$5,873.49 and County Treasurer receipts #13100001 thru #13100050 in the amount of \$244,557.67. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

The amendment to the cafeteria plan that was received from First Concord was not discussed. Supervisor Nuss will contact them for clarification.

Judy Barnes sent a request to have a giving tree placed in the courthouse again this year. The tree is being sponsored by Cornerstone Bank. With board approval, the tree would be placed in the courthouse on the lower level on November 25, 2013. Consensus was to give approval for this to be done again this year.

Proposals for roof repair at the road department and health department were reviewed. An invoice for power washing and repair to the siding of the maintenance building were also discussed. All the information has been submitted to NIRMA. NIRMA will be



Clay County Board Minutes



contacted to see if someone will meet with the board about the hail damage and the process for submitting claims for payment.

The employee handbook states that ideally compensatory time would be used or paid out prior to the end of each calendar year. The clerk asked the board if they wanted employees reminded of this and to be given the opportunity to have their comp. time paid out December 1st. The handbook committee will meet next week to discuss this.

The PTO report that is given to the board each month was discussed. Employees exceeding the maximum accrual was discussed. Motion by Nuss and seconded by Shaw to automatically bank PTO hours once the maximum accumulation has been met; once the maximum banked accumulation has been met, PTO will be forfeited until it is below the maximum accrual. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

The salaries for the elected officials was discussed. Joni Skalka Clerk of the District Court, Linda Whiting County Assessor and Sharon Lavene County Treasurer were also present. The board began the discussion and then asked those present for their input. Different ideas were discussed. Clay County salaries are at the bottom of the salary range for counties with similar population and valuation. The elected officials have received the same increase for more than 20 years.

Motion by Nuss and seconded by Johnson to set the elected officials, excluding the Sheriff's, 2015 salary at \$46,000.00 with a \$1500.00 increase each year through 2018. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Schmidt and Fintel; nay: Anderson. Motion carried.

Motion by Shaw and seconded by Johnson to set the County Sheriff's salary for 2015 at \$49,400.00 with a \$1500.00 increase each year through 2018. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Motion by Samuelson and seconded by Nuss to set the board of supervisors salary at \$15,900.00 with the chairman receiving \$17,700.00 for 2015 through 2018. On roll call, yea: Nuss, Samuelson, Schmidt, Shaw and Fintel; nay: Anderson and Johnson. Motion carried.

Ted Griess, County Attorney told the board that he had given samples from other plans to the Highway Superintendent to use as a guide for Clay County's ADA policy. Ted also reported on a county burial he requested. The lease for the Leicester farm was also discussed.

A list of guns the Sheriff's office wants to trade for new ones was presented to the board prior to the meeting. Jeff Franklin, County Sheriff asked that the chairman sign the form giving him permission to trade the guns.

Motion by Anderson and seconded by Shaw to declare the sheriff's department guns as surplus as listed on his request. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.



Clay County Board Minutes



Motion by Anderson and seconded by Johnson to authorize the chairman to sign the sheriff's request form to trade the guns as requested by the Clay County Sheriff. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

The letter from the Twin Valley Weed Management recognizing the outstanding job Weed Supt. Bruce Rumsey did with the Little Blue River Cleanout Projects was distributed. The letters from the Department of Environmental Quality concerning permits for Reeson Feeding Inc. Concentrated Animal Feeding Operation and R Lazy K – Fairfield Concentrated Animal Feeding Operation were distributed.

Motion by Anderson and seconded by Johnson to adjourn this meeting at 11:49 A.M.; next meeting scheduled for November 19, 2013. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman